

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

ROBERT GALBRAITH and MELISSA MOSKO,
DANA McWHITE and KENNETH McWHITE,
ANTWANETT WILLIAMS, RAHWA
GHIRMATZION, REBECCA WHIPPLE and
NOLAN WHIPPLE, SUSAN GILLICK, FELICIA
RICHARDSON and RICHARD RICHARDSON,
and ABDUKADIR ABDULLAHI, on behalf of
themselves and their respective minor children, and
on behalf of a class of all persons similarly situated,

Plaintiffs,

v.

CITY OF BUFFALO, BUFFALO WATER
BOARD, BUFFALO MUNICIPAL WATER
FINANCE AUTHORITY, BYRON W. BROWN,
in his official capacity as Mayor of Buffalo,
OLUWOLE A. McFOY, in his official capacity
as Chairman of the Buffalo Water Board, VEOLIA
WATER NORTH AMERICA-NORTHEAST,
LLC, and VEOLIA NORTH AMERICA, LLC,

Defendants.

Civil Action No.: 23-CV-00814

DECLARATION OF SAMIR P. WARTY, PH.D.

I, Samir P. Warty, declare as follows:

1. I have submitted an expert report in this action on December 22, 2023 in response to the expert report submitted by Dr. Gabriela Orsak (“Warty Report”).
2. I understand this declaration attaching the Warty Report as Exhibit A is being submitted in connection with Defendants’ Veolia Water North America-Northeast LLC and Veolia North America, LLC (collectively, “Veolia”) Memorandum of Law in Opposition to Plaintiffs’ Motion for Remand.

3. I have reviewed the documents made available to me by counsel of record for Veolia in this action and have performed other, independent investigations in order to reach the opinions expressed in the Warty Report. This declaration and the Warty Report are based on personal knowledge and a review of relevant information and documents—including the report submitted by Dr. Orsak—and, if called as a witness, I could and would testify competently thereto.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

December 22, 2023

A handwritten signature in black ink, appearing to read 'Samir Warty', with a long horizontal stroke extending to the right.

Samir P. Warty, Ph.D.